

## Message Text

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PAGE 01 STATE 189237

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DRAFTED BY P - MR SISCO:CHG

APPROVED BY P - MR SISCO

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TO AMEMBASSY CAIRO NIACT IMMEDIATE

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NODIS

CHEROKEE

E.O. 11652: XGDS-1

TAGS:PFOR, IS

SUBJECT:GAZIT DOCUMENT

FOR AMBASSADOR FROM SISCO

REF: CAIRO 5744

1. FOLLOWING IS DOCUMENT WHICH GAZIT LEFT WITH US ON JUNE 13. YOU WILL NOTE IT HAS TWO PARTS: (A) POINTS TO BE INCLUDED IN THE AGREEMENT; AND (B) CLARIFICATIONS ON COMMITMENTS VIA U.S.

2. WE WOULD LIKE YOUR JUDGMENT AS TO WHETHER DURING THE COURSE OF THE WEEK IT WOULD BE DESIRABLE TO REVIEW THEM WITH FAHMI OR WHETHER WE SHOULD LEAVE THEM TO THE SHUTTLE AT WHICH TIME PRECISE FORMULATIONS COULD BE PRESENTED. (WE ASSUME GAZIT IS COMING ON TUESDAY WITH MORE PRECISE LANGUAGE ON THESE AND OTHER POINTS.)

WE SEE DEFINITE ADVANTAGE IN KNOWING AHEAD OF TIME OF ANY DIFFERENCES AND CLEARING THEM UP BEFORE UNDERTAKING ANY SHUTTLE; ON THE OTHER HAND, WE WOULD NOT WANT FAHMI REOPEN POINTS PREVIOUSLY COVERED OR RAISE

SECRET

SECRET

PAGE 02 STATE 189237

QUESTIONS REGARDING CERTAIN POINTS WHICH IN CONTEXT

OF PRECISE TEXT AND IN MOMENTUM OF SHUTTLE WOULD NOT OTHERWISE BE RAISED OR CAUSE DIFFICULTY.

3. AS TO THE POINTS FOR INCLUSION IN THE AGREEMENT, I

SEE NO PROBLEM WITH ANY OF THEM OTHER THAN NUMBER FIVE (5) WHICH IS A BIT MORE PRECISE THAN LANGUAGE CONTAINED IN NIXON-SADAT LETTERS EXCHANGED AT TIME OF 74 AGREEMENT.

4. AS TO THE POINTS RELATING TO COMMITMENTS VIA THE US, MY JUDGMENT IS THAT 1, 2, 4, 5, 9, 10, 11 SHOULD CAUSE NO PROBLEM. POINT 3 GOES BEYOND WHAT SADAT HAS TOLD US; POINT 6 GOES BEYOND THE SADAT-NIXON LETTERS OF 74; POINT 7 IS ALSO MORE SPECIFIC BY ADDING THE PHRASES "INCLUDING RAW MATERIALS AND OIL" AND "ISRAELI OWNED"; POINT 8 WOULD HAVE TO BE DRAFTED CAREFULLY SINCE FAHMI HAS BEEN FUZZY ON THIS POINT; AND POINT 10 WILL LIKEWISE HAVE TO BE DRAWN MORE PRECISELY.

5. YOU SHOULD NOT REPEAT NOT RAISE THIS MATTER WITH FAHMI UNTIL WE HAVE HAD OPPORTUNITY TO WEIGH YOUR JUDGMENT.

6. FOLLOWING IS DOCUMENT:

(A) SUGGESTED PREAMBLE (FOOTNOTE: THIS DRAFT DOCUMENT IS BASED ON THE VARIOUS PROVISIONS, PHRASES AND LANGUAGE AS SUBSTANTIALLY AGREED UPON IN THE MARCH 1975 NEGOTIATIONS BEFORE THEIR SUSPENSION.)

ISRAEL AND EGYPT:

HAVING RESOLVED THAT THE CONFLICT BETWEEN THEM SHALL NOT BE SOLVED BY MILITARY MEANS BUT ONLY BY PEACEFUL MEANS AND,

PURSUANT TO THE AGREEMENT REACHED BETWEEN THEM AS A RESULT OF NEGOTIATIONS THAT TOOK PLACE IN JANUARY 1974, WHICH CONSTITUTE A FIRST STEP TOWARD A FINAL JUST AND DURABLE PEACE, ACCORDING TO THE PROVISIONS OF SC RES.

SECRET

SECRET

PAGE 03 STATE 189237

338 OF OCTOBER 22ND 1973, AND WITHIN THE FRAMEWORK OF THE GENEVA CONFERENCE.

HAVING NOW RESOLVED TO TAKE A SIGNIFICANT STEP TO ACHIEVE THE GOAL OF PEACE BETWEEN THEM,

HEREBY CONCLUDE THIS AGREEMENT IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

(B) BODY OF AGREEMENT

(1) THE PARTIES HEREBY UNDERTAKE NOT TO RESORT TO THE THREAT OR USE OF FORCE AGAINST EACH OTHER AND TO SETTLE ALL DISPUTES BETWEEN THEM BY NEGOTIATIONS AND OTHER PEACEFUL MEANS.

(2) THE PARTIES RECONFIRM THEIR OBLIGATION TO SCRUPULOUSLY OBSERVE THE CEASEFIRE ON LAND, SEA AND AIR AND TO REFRAIN FROM ALL MILITARY OR PARA-MILITARY ACTIONS AGAINST EACH OTHER.

(3) UNEF WILL CONTINUE ITS FUNCTIONS AND ITS MANDATE WILL BE EXTENDED ANNUALLY.

(4) A JOINT EGYPTIAN-ISRAELI COMMISSION WILL BE SET UP TO DEAL WITH PROBLEMS ARISING FROM THE IMPLEMENTATION OF THE AGREEMENT. THE COMMISSION WILL FUNCTION IN RELATIONSHIP WITH UNEF (OR : UNDER THE AUSPICES OF THE UN)

(5)(ALL ISRAELI OWNED CARGOES, INCLUDING RAW MATERIALS AND OIL WILL BE PERMITTED THROUGH THE SUEZ CANAL TO AND FROM ISRAELI PORTS ON THIRD-PARTY VESSELS).

(FOOTNOTE: IT WAS NOT CLARIFIED IN THE COURSE OF THE

MARCH 1975 NEGOTIATIONS WHETHER THIS PROVISION WOULD BE INCLUDED IN THE BODY OF THE AGREEMENT. BASED ON THE EGYPTIAN COMMITMENT CONVEYED TO ISRAEL IN JANUARY 1974 THE ACTUAL LANGUAGE IS "ALL CARGOES" AND NOT "ALL ISRAELI OWNED CARGOES." HOWEVER, THIS BEING OF THE ESSENCE OF THE PROVISION IT HAS BEEN DELIBERATELY  
SECRET

SECRET

PAGE 04 STATE 189237

SPELT OUT HERE.)

(6) MILITARY PROVISIONS (DEFINED AREAS OF LIMITED ARMAMENTS AND FORCES; AGREEMENT TO CARRY OUT AERIAL RECONNAISSANCE.)

(7) NOTHING IN THIS AGREEMENT PRECLUDES THE RECONVENING OF THE GENEVA CONFERENCE.

(8) THIS AGREEMENT WILL BE CARRIED OUT IN PHASES AS FOLLOWS: .....

(9) THIS AGREEMENT WILL REMAIN IN EFFECT UNTIL SUPERSEDED BY ANOTHER AGREEMENT.

CLARIFICATION ON COMMITMENTS VIA U.S. (FOOTNOTE: THIS DOCUMENT DOES NOT SUGGEST ACTUAL FORMULATION AND GIVES ONLY THE SUBSTANCE OF THE VARIOUS UNDERTAKINGS. IT IS NOT EXHAUSTIVE BUT EMBRACES THE MAIN ASSURANCES AS DISCUSSED.)

(1) THAT PARTIES WILL GIVE WRITTEN ASSURANCES TO THE U.S. THAT THEY WILL NOT RESORT TO THE THREAT OR USE OF FORCE AGAINST EACH OTHER. THESE ASSURANCES WILL BE GIVEN IN ADDITION TO THE DIRECT COMMITMENTS MADE TOWARDS EACH OTHER. THE U.S. WILL INFORM THE PARTIES OF RECEIPT OF THE RESPECTIVE ASSURANCES.

(2) THE PARTIES WILL GIVE ASSURANCES TO THE U.S. TO JOINTLY REQUEST ANNUAL RENEWALS OF UNEF MANDATE.

(3) THE U.S. WILL CONVEY TO ISRAEL EGYPT'S COMMITMENT NOT TO ABROGATE THE AGREEMENT FOR ANY REASON, INCLUDING REASONS CONNECTED WITH THE COURSE WHICH THE GENEVA CONFERENCE MAY TAKE (OR ANY OTHER STAGES IN THE PEACE PROCESS).

(4) THE U.S. WILL INFORM ISRAEL THAT EGYPT HAS CONVEYED TO THE U.S. A COMMITMENT NOT TO ATTACK ISRAEL IF SYRIA ATTACKS ISRAEL OR INITIATES A WAR OF ATTRITION.

SECRET

SECRET

PAGE 05 STATE 189237

(5) EGYPT WILL PERMIT MOVEMENT OF EGYPTIAN NATIONALS, ARAB STUDENTS AND RESIDENTS OF THE GAZA STRIP AND SINAI

TO AND FROM EGYPT FOR PURPOSES OF STUDY AND VISITS.

(6) THE EXISTING RIGHT OF ISRAEL TO FREEDOM OF PASSAGE THROUGH BAB-EL-MANDEB WILL BE UNDERSTOOD TO COVER FLIGHTS OVER THE RED SEA.

(7) ALL ISRAELI OWNED CARGOES, INCLUDING RAW MATERIALS AND OIL, WILL BE PERMITTED TO PASS THROUGH THE SUEZ CANAL TO AND FROM ISRAELI PORTS ON THIRD-PARTY VESSELS. (FOOTNOTE: IF THIS ISSUE IS INCLUDED INTO THE BODY OF THE AGREEMENT, IT WILL NOT BE THE SUBJECT OF AN INDIRECT ASSURANCE.)

(8) MIXED CREWS (I.E., ISRAELI SEAMEN INCLUDED AMONG THE GENERAL CREW) WHEN EMPLOYED ON THIRD-PARTY VESSELS WILL BE PERMITTED UNINHIBITED PASSAGE THROUGH THE SUEZ CANAL.

(9) HOSTILE PROPAGANDA IN EGYPTIAN-CONTROLLED MEDIA

WILL BE REDUCED. (FOOTNOTE: PROVISIONS (9) AND (10) HERE, AS CONVEYED TO US IN THE COURSE OF THE NEGOTIATIONS ARE OVERLY VAGUE AND UNSATISFACTORY. THEY REQUIRE SUBSTANTIVE DETAILED CLARIFICATION IN THE COURSE OF FURTHER NEGOTIATIONS.)

(10) THE ECONOMIC BOYCOTT AGAINST ISRAEL WILL BE EASED ON A SELECTIVE BASIS BEGINNING WITH A FEW AMERICAN COMPANIES. (SEE FOOTNOTE TO NO. 9)

(11) EGYPT WILL TONE DOWN ANTI-ISRAELI DIPLOMATIC PRESSURES ON THIRD COUNTRIES AND INTERNATIONAL BODIES. (FOOTNOTE: AN AGREED SCENARIO WILL BE DEvised TO MAKE POSSIBLE THE RESTORATION OF DIPLOMATIC RELATIONS BETWEEN ISRAEL AND SOME AFRICAN COUNTRIES. SADAT SEEMED MORE FAVORABLY INCLINED TOWARD THIS MATTER THAN FAHMY.)

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